

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

MONISHA HARRIS, O/B/O
L.G., a Minor,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

Case No. 17-14125
Hon. Terrence G. Berg

**ORDER ACCEPTING AND ADOPTING REPORT AND
RECOMMENDATION GRANTING PLAINTIFF'S, AND
DENYING DEFENDANT'S, MOTIONS FOR SUMMARY
JUDGMENT**

This matter is before the Court on Magistrate R. Steven Whalen's February 13, 2019 Report and Recommendation (Dkt. 22), recommending that Plaintiff Monisha Harris' motion for summary judgment (Dkt. 17) be granted, and Defendant Commissioner's motion for summary judgment (Dkt. 19) be denied.

The Court has reviewed the Magistrate Judge's Report and Recommendation. The law provides that either party may serve and file written objections "[w]ithin fourteen days after being served with a copy" of the report and recommendations.

28 U.S.C. § 636(b)(1). As of this date, neither party has filed any objections, and the time to do so has now expired.

The district court will make a “*de novo* determination of those portions of the report . . . to which objection is made.” *Id.* Where, as here, neither party objects to the report, the district court is not obligated to independently review the record. *See Thomas v. Arn*, 474 U.S. 140, 149-52 (1985). The Court will, therefore, accept the Magistrate Judge’s Report and Recommendation of February 13, 2019 as this Court’s findings of fact and conclusions of law.

Accordingly, it is hereby **ORDERED** that Magistrate Judge Whalen’s Report and Recommendation of February 13, 2019 (Dkt. 22) is **ACCEPTED** and **ADOPTED**. It is **FURTHER ORDERED** that Plaintiff Monisha Harris’ motion for summary judgment (Dkt. 17) is **GRANTED**, and the case is remanded under the fourth sentence of 42 U.S.C. §405(g) for administrative proceedings. Defendant’s motion for summary judgment (Dkt. 19) is **DENIED**.

SO ORDERED.

Dated: March 11, 2019 s/Terrence G. Berg _____
TERRENCE G. BERG
UNITED STATES DISTRICT JUDGE